

the same strain in which Mr. Stanchfield had spoken.

District Attorney Whitman then moved for the acceptance of the plea of guilty, and said that he would ask for a suspended sentence in the case. The plea was accepted.

Then came Justice Davis's turn to speak and to announce the decision of the court to the placidly awaiting defendant. He motioned to Mr. McLean to arise.

"I think," he said, "the work of the District Attorney in his investigation of this matter and the wide publicity they have obtained will in future serve at least an orderly observance of this salutary law."

#### ACCEPTS THE SUGGESTION OF SUSPENDED SENTENCE.

"I am impressed by the statements of counsel here to-day—backed by those of the District Attorney—and I can see no good reason for doing otherwise than adopting the suggestion which the District Attorney has made. This is not a case for fine or for imprisonment and on this plea of guilty the sentence of the court shall follow the request of your own counsel and the recommendation of the District Attorney. The sentence of this court is suspended."

Mr. McLean received what must have been most welcome news with a smile. It seemed as if he was spared for just what happened. He bowed solemnly to Justice Davis and said in a low voice but very distinctly: "I thank you."

Mr. Stanchfield and Judge O'Brien also bowed their appreciation of the court's ruling. There was no handshaking nor any of the usual performance upon such occasions. Mr. McLean and his counsel started from the courtroom just before he turned away Mr. Stanchfield recalled to Mr. Whitman that the formal dismissal of the second indictment awaited Mr. Whitman at once made the necessary motion, which the court granted, and the legal business was at an end.

At the door of the courtroom Mr. McLean was asked about the outcome of his plea. He was diffident about speaking of it.

"It's all quite satisfactory to you, isn't it?" he was asked.

"I am pleased to be in court," he replied, "and I am glad that I understood the law all right."

"Are you going to get out of politics?" "You'll have to see Mr. Whitman about that," was the prompt and good natured reply as Mr. McLean passed out through the doorway.

#### WHITMAN TELLS OF McLEAN'S PROMISE TO AID HIM.

"Mr. McLean has promised to aid me all he can," said Mr. Whitman to an Evening World reporter, "but I am inclined to believe that most of his information is concerned with matters outside of New York County, over which I have no jurisdiction."

Everett Fowler of Kingston, another alleged "bagman" of the State Democratic Committee who is under indictment for soliciting campaign contributions from corporations, appeared before Justice Davis at the close of the McLean session. He pleaded, through the counsel, Martin W. Littleton, not guilty to the suspended indictment laid against him last week and was adjourned to the former hall of S. H. McLean to the day in which to answer his plea.

Mr. Littleton said he would demand to the indictment without delay. In the event of Justice Davis sustaining the demurrer, Mr. Whitman will appeal to the Appellate Division and the court of appeals in order to set aside the indictment.

The case of Thomas Bennett, former secretary of the Board of Water Supply, who is charged with having demanded a percentage of campaign contributions from contractors, was to have come before Justice Davis to-day for argument on a demurrer, but the matter was put over until next Monday.

#### FURRY WILL CASE SETTLED.

Supreme Announces End of Suit, but Gave No Particulars.

The last effort to break the will of the late Robert Furry, who left practically all of his estate of some \$200,000 to John Murray Gray, a Democratic member of Brooklyn, called today when counsel for William H. and William F. Furry, nephews of the dead man, told Supreme Court Justice Garretson that a settlement had been reached. Instead of continuing the will further, he said, all hands were content to have the Supreme Court affirm the finding of the surrogate's Court, where the nephews had been beaten.

The lawyers refused to give any idea of the financial basis of the settlement. But Gen. John Vincent Furry who first appeared to contest the will settled with Gray for \$100,000.

Gen. Furry was prepared to sue on the ground that years ago his brother had persuaded him to leave his home at Flatlands and keep Robert's remains in Brooklyn, the promise being that he would provide for the General in his will. Robert Furry was reported to be a millionaire but it is said his estate amounted to only about \$200,000.

#### WOMAN BURNED TO DEATH.

Body of Aged Mrs. Edwards Found in Her Flat.

Mrs. Maria Latta of No. 321 West 125th street, who got the answer when she knocked to-day at the door of Mrs. Alice Edwards, a widow, seventy-eight years old, living on the floor above her, Mrs. Latta, who frequently dropped in to help the aged woman with her housekeeping, had a boy and used it.

She found the body of Mrs. Edwards, terribly burned, lying across a gas heater in the front room. The coroner said he investigated Mrs. Edwards, who suffered from vertigo and dizziness for their up to the heater last evening. She was probably asleep with a light and fell across it, setting fire to her clothing, but in her struggles shut off the gas of the.

#### A BOOK BY A FAMOUS AUTHOR.

Complete in six installments. One week for ten weeks in the Evening World. "The Return of Tarzan" by Edgar Rice Burroughs. Order from news-dealers.

## MISER'S RELATIVES GET NO SYMPATHY FROM THIS COURT

Neglected Until Just Before He Died, When His Bank Account Became Known.

\$1,000 PAID FOR PRAYER.

Niece Charged Boarding Mistress and Clergyman Got Hoarded Wealth.

Condemning the relatives of the late John Henry Wardell, a veteran of the civil war who became a recluse and a miser, although he had a fortune in savings banks, Supreme Court Justice Newberger to-day dismissed the suit which Mrs. Katherine Titbourn New, niece of the dead veteran, brought against Mrs. Anna Burnett, a middle-aged boarding house mistress, to recover several thousand dollars which the old veteran gave her while he lived at her house.

"For more than twenty-five years the relatives of this man, who lived in the same city with him, paid no attention to him," said the Justice. "A few months before his death they took a sudden interest in his welfare, and at that time learned that he had money in the bank. The new law failed to make out a case here and I dismiss the suit."

The decision greatly pleased the Rev. Dr. R. H. Travis, a Methodist minister, who sat at the lawyers' table beside Mrs. Burnett during the trial. Dr. Travis, witnesses testified, had received \$1,000 for offering a single prayer for the veteran when he thought he was about to die.

Other witnesses told of a strange mystic influence exercised over the aged soldier by Mrs. Burnett, which influence Mrs. Burnett denied.

Mrs. New, the first witness called, testified that her uncle had been a testator until he went to Mrs. Burnett's house at No. 2 Dominick street, where he began to drink and grow feeble.

#### SAVED HIS FORTUNE IN NICKELS AND DIMES.

"My uncle was a miser," emphasized Mrs. New. "He always told us he had no money. He was so parsimonious that he would do the lowest kind of work to earn five cents or ten cents, and this money he would hoard. He saved his fortune in this way. I went to see him often while he was at Mrs. Burnett's, but there were many occasions when he was in the house that I was not admitted. When I did get to see him Mrs. Burnett was always present. She would look him squarely in the eye as he sat facing her and there was no mistaking that he was under her influence as long as she kept her eyes upon him."

Mrs. New explained that she went to Mrs. Burnett's on one occasion to take her uncle to a doctor, but he refused to go, saying that he was going to die. Mrs. Burnett called a minister and they knelt beside my uncle's bed and prayed. My uncle told me that the minister told him that he ought to give something to the church and uncle gave him \$100 and at the same time gave Mrs. Burnett \$100 to care for him the rest of his life."

"He never called Mrs. Burnett by her name," said the witness. "He always referred to her as 'this woman.'"

"A few months before he died," explained Mrs. New, "he became very sick and thought he was going to die. Mrs. Burnett called a minister and they knelt beside my uncle's bed and prayed. My uncle told me that the minister told him that he ought to give something to the church and uncle gave him \$100 and at the same time gave Mrs. Burnett \$100 to care for him the rest of his life."

#### BURIED BEFORE NIECE COULD GET TO FUNERAL.

On April 17, Mrs. New said, she first learned of her uncle's death, and she hastened to the undertaker's to arrange for his funeral, which was to take place the following day.

"Did you go to the funeral?" asked her attorney.

"The funeral was to be held at 10:30 A. M.," she testified, "but when I got to the undertaker's I found that Mrs. Burnett had already buried him."

John M. Goldthwaite, a Grand Army official, said that he had called upon Wardell at Mrs. Burnett's and that he reached the conclusion that Wardell was under Mrs. Burnett's control and that he was irrational.

"She kept her eyes glued on him," said Goldthwaite, "and she appeared to dominate him completely."

Bank officials testified that the day after the veteran's death drafts were made upon his bank accounts in the name of Mrs. Burnett and that one withdrawal of \$1,000 was made by the clergyman.

#### MME. NORDICA IMPROVED.

Singer Ill With Pneumonia, Taken Turn for Better.

THURSDAY ISLAND, Australia, Jan. 12.—An improvement has been noticed since yesterday in the condition of Madame Lillian Nordica, the American singer, who has been seriously ill for several days with pneumonia brought about by shock and excitement at the time of the grounding of the steamship Tasman in the Gulf of Papua at the end of December.

Kronos Rejoice Leadership. Bridge Commissioner F. J. H. Kronos announced to-day that he had resigned as Republican leader of the Eighteenth Assembly District, Brooklyn. He took this step, he stated, in order to devote all of his time to the duties of Bridge Commissioner. Edgar M. Dougherty, a Brooklyn lawyer, succeeded Commissioner Kronos as leader of the district.

Cold Cases Handled by Police. LAGUARDIA'S BROTHERS. The police are handling the cold cases of the Laguardia brothers.

## Tango Dances on Skates Add New Zest to Sport on the Ice; Fair Skaters Fill City Parks as Soon as the Red Ball Is Hoisted



## MERCURY FALLING AFTER SLIGHT RISE; ZERO WEATHER DUE

(Continued from First Page.)

came disabled in the bay near Robbins' Reef shortly after midnight. There was a high wind, and a heavy sea running. Her distress signals attracted the attention of the police, who sent out the police boat Patrol to aid. The Pennsylvania Railroad was notified and sent a tug.

In the mean time the helpless Newport was blown across toward Fifty-seventh street, Bay Ridge, and went on a sea wall of trap rock three or four feet high and seventy-five feet offshore. There she stuck with her stern, the rocks grinding her hull as the sea swept over her deck. She was pulled off at 4 A. M. and towed to a wharf for repairs.

Death, injury and suffering followed the abrupt drop in temperature. Charity organization officials say it has been years since there has been so much misery in the wake of a cold wave.

#### FERRYBOATS CAUGHT IN RECORD LOW TIDE

Gale Sweeps Water to Sea and Truckmen Have Trouble Landing Wagons.

Almost a record low tide for this vicinity manifested itself this afternoon as a phenomenon of the heavy wind storm of the last few days. The water seemed fairly to be swept out to sea before the gale and from the time the tide began to rise at about 1:30 o'clock until full ebb at about 4:30 the water sank so rapidly that ferryboats were almost stranded in their slips.

For the last few days there had been an unusually high tide and this made the sudden change all the more noticeable. The ferryboats scraped on the mud bottom as they entered their slips and the bridges in the slips had to be lowered to such a point that they formed an incline of nearly 30 degrees upon which few trucks could be hauled.

Truckmen took turns assisting each other at every ferry. Several teams were hitched to one rig, and when this was up the others were brought off in order.

Small boys in the vicinity of the tall buildings have made a small fortune catching hula. Much of the vagrant catchings went away on the breeze, never to be recovered, but those that skimmed along the surface were captured sooner or later for a tip.

But hula were not the only articles of value lost. Muffs, furs and even handbags were blown away and in some instances not found again. Signs were blown down, windows demolished and street lights and stands wrecked. Puddles leaked no time.

In the harbor traffic was seriously hampered.

## DR. E. C. SPITZKA, NOTED ALIENIST, DIES SUDDENLY

(Continued from First Page.)

famous and appeared as an alienist in many famous cases.

"About two years ago Gershall brought his wife to Dr. Spitzka to be treated for melancholia. After an extended period of treatment Dr. Spitzka declared the steel plants there were working at 50 per cent. capacity, would soon be reduced to 40, and expected a 15 per cent. reduction of wages by Feb. 1."

"Gershall's lawyer recently made application for a preliminary examination of Dr. Spitzka, Gershall asserting that he had no proof of any wrongdoings, but that he wanted to examine the doctor in preliminary examination in order to get the proof on which to try the alienation suit."

Dr. Spitzka was perfectly willing to be examined, maintaining his innocence. When the case was called to-day I explained the situation and said that Dr. Spitzka was too ill to appear in such weather. I had just reached my office at No. 308 Broadway when the telephone rang. I answered the phone, and it was Mrs. Gershall on the wire. She informed me briefly that Dr. Spitzka had just died. Before I could say anything she rang off. I cannot understand this whole case."

Sen. of Edward Harrigan III. Dr. Anthony Hart Harrigan of No. 245 West One Hundred and Second street, the son of Edward Harrigan of the famous Harrigan and Hart combination in theatricals, is seriously ill at his home with pneumonia. He has been confined to his bed for two weeks. He is thirty years old and an assistant surgeon at Fordham Hospital.

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## GEORGE K. FORTESCUE, ACTOR, DIES IN HOSPITAL AFTER LONG ILLNESS

Of Great Size and Made Fame in "Evangeline" and "San Toy."

George K. Fortescue, the actor, for many years a stage favorite in this city and throughout the country, died early to-day in St. Vincent's Hospital. He had been a patient there for some time.

Mr. Fortescue had not appeared on the New York stage in recent years. He played the part of Yea How in a revival of "San Toy" at Manhattan Beach nine years ago. With James T. Powers Mr. Fortescue starred in "San Toy" in the original production. It was in Rice's "Evangeline" that Mr. Fortescue made his first great hit. He was of enormous girth, with a round, babyish face and knew how to take the best advantage of his size for the purpose of creating laughter. He shared the honors of Evangeline with Henry K. Dixey and Amelia Summerville and played with that attraction for many seasons.

Mr. Fortescue lived in Bay Ridge, Brooklyn. Some years ago he appeared on Broadway after a long absence weighing only 24 pounds, which was about 100 pounds under his normal weight. Hundreds of friends importuned him to tell how he did it, and finally he said:

"Every morning at 4 o'clock I dive into the water at Bay Ridge, swim over to Fort Wadsworth, run around Staten Island, and then walk back to Brooklyn on the bottom of the Narrows."

## TRIED FOR MURDER AFTER 14 YEARS, AND AGAIN FOUND INSANE

Michael O'Donnell Sent to Matteawan After First Trial and Now Goes Back Again.

An indictment more than fourteen years old was disposed of in the Court of General Sessions before Judge Mulqueen to-day when a jury found Michael O'Donnell, accused of murder, insane and recommended that he be committed to Matteawan Insane Asylum. O'Donnell, in the judgment of alienists, is a victim of incurable homicidal mania, and he will spend the rest of his life in Matteawan.

In 1888 O'Donnell was convicted of a daring robbery in a saloon in East Sixty-fourth street and sentenced by Judge Martine to serve thirty years in Sing Sing. In 1903 his brother James, on his deathbed, confessed that Michael was innocent. James swore he committed the robbery himself.

Michael was released from prison and returned to New York. Brooding over the injustice that had been done him, he drove him insane, and on Oct. 24, 1909, he stabbed to death one Charles Scanlon.

He was placed on trial for first degree murder in December, 1909, and the jury found that he was insane and directed his commitment to Matteawan. He remained there until February, 1912, when the physicians pronounced him cured and he was returned to New York and lodged in the Tombs to be retried on the indictment charging him with the murder of Scanlon.

During his stay of eleven months in the Tombs O'Donnell has been repeatedly examined by alienists. Drs. MacDonald, Mabon and Pierce testified in the trial to-day that from many examinations they believed the man to be incurably insane. On this evidence he was recommended to the asylum.

## FELL DEAD IN THEATRE

Cool-headed ushers prevented a panic in the Bijou Theatre at Thirtieth street and Broadway this afternoon when a man fell dead in his seat. His body careened against a man sitting next to him, who summoned an usher. The dead man was carried out and the body taken to the West Thirtieth street police station.

Here the police could find nothing to identify him except a gold watch and chain bearing the number 158,735. He wore what appeared to be mourning garments of black and a black derby hat and shoes. He was smooth shaven, about five feet eight in height and apparently about forty-five years old. In his pockets were \$10 and some silver.



Doesn't this "cut some ice?"

All the coats in our Overcoat Sale are of our own manufacture.

All made to sell at our regular prices.

Nobody's job lots and nothing made special for Sales.

\$15, \$20 and \$25 now for coats that were \$5.00, \$8.00 and \$10.00 more—and well worth the original prices.

A Harry in bathrobe. 200 blanket robes—all sorts of patterns and colors. Mostly \$8.00 values. \$4.85.

ROGERS PEET COMPANY

Three Broadway Stores

at Warren St. 13th St. 34th St.

## Dr. Bull's Cough Syrup

For a hoarse, deep cough and raw, sore chest—cold attacking bronchial tubes or lungs, there is nothing better nor as soothing. Price, 25 cts.

No Morphine or Chloroform.

"Have used Dr. Bull's Cough Syrup for years when I have had coughs. It is fine." Mrs. M. E. Boyer, Middletown, Del.

SAMPLE FREE Write A. C. McGee & Co.

1000 pages paper, 1000 pages paper.

DIED.

GREEN—OLLIE A. GREEN, aged 48 years, at his residence, 1217 110th ave. Notice of funeral hereafter. Chicago papers please copy.

J. J. K. Theatrical, Mechanical Association, New York Lodge No. 1—Brothers: You are hereby notified to attend the funeral of Brother EUGENE JELLS from his late residence, 101 5th ave., on Wednesday, Jan. 14, at 1 P. M.

CHARLES HEIMERLE, President. J. F. FOWMAN, Secretary.

BROOKLYN, STEVEN—Yesterday, 36 years of age. Funeral from his residence, 2 Baxter st., on Thursday morning, 10 A. M. (Time of the Church of St. Joachim, 28 Roosevelt st., Interment in Calvary.)

TROY—On the 12th JOHN TROY, uncle of William and Mary Ellen Hickey, died at his residence, 101 5th ave., on Wednesday, Jan. 14, at 1 P. M.

Funeral from the residence of nephew, Thomas J. Kelly, 12 1/2 11th st., Thursday, Jan. 15, at 9:30 A. M.; thence to St. of the Sea Church, State st., where a requiem mass will be celebrated at 10 o'clock. Interment Calvary.

#### MEMORIAL NOTICES.

HICKY—MATILDA HICKY (nee Mason). In loving remembrance of my dear mother, who died Jan. 13, 1910. Grief-stricken daughter, Gertrude Mason.

## The Return of Tarzan

Begins in Next Monday's Evening World

First of a Series of Ten Great Novels. One Complete Story Each Week for Ten Weeks

Order the Evening World from Newsdealer To-Day. Got the Entire Series.

## PROSPERITY SHOUTS CLASH WITH CALAMITY HOWLS IN CONGRESS

Steel Trust's Prospects Figure in Contrasting Pictures of Nation's Welfare.

WASHINGTON, Jan. 13.—Moans of national calamity and joyous shouts of commercial prosperity echoed and re-echoed to-day in the House chamber while Democrats pictured the country happy, busy and prosperous and Republicans dwelt upon crumbling factories, bread lines of want and ragged men, soup houses, general ruin and desolation as a result of Democratic legislation.

When Representative Hawdick, Democrat, said he understood the United States Steel Corporation was about to re-employ 10,000 men at Pittsburgh, Representative Harchfield, Republican, declared the steel plants there were working at 50 per cent. capacity, would soon be reduced to 40, and expected a 15 per cent. reduction of wages by Feb. 1.

## COURT REFUSES TO MAKE SIEGEL & CO. BANKRUPT

Judge Charles M. Hough in the United States District Court to-day refused to appoint a receiver in bankruptcy for Henry Siegel & Co. He appointed a receiver in equity for the firm several days ago. The two petitions in involuntary bankruptcy filed on Monday were before him to-day.

"The petitions for appointment of receivers remain on file," said Judge Hough, "and the new petitions show no reason for the appointment of a receiver except a desire on the part of the attorney representing the petitioners to examine Messrs. Siegel and Vogel. This examination can be made equally well in the Court of Equity."

He also declared that the comparative advantages of equity and bankruptcy were carefully considered before the receiver in equity was appointed and that he believed, unless the mercantile business is kept going, the loss, especially to depositors in the so-called bank, would be almost total."

## CANEY

THE Old Folks at Home—Why not send them a box of Let Candy? An assortment of our Very High Grade Chocolates, for instance, at 40c pound box—or those delicious Milk Chocolate Marshmallow Cherries at 39c or a package of our Gold Sea Sweets at \$1.00. Parcel Post lights cost of delivery surprisingly.

Special for Tuesday NEW ORLEANS COCONUT SHAKES—Charming little cubes of jelly in a splendid assortment of colors, perfectly flavored with the finest shredded coconut. 10c

Suggestion for Tuesday PRICED OPERA DRAPES—These are small editions of popular crystalline jelly in a splendid assortment of colors, perfectly flavored with the finest shredded coconut. 15c

Special for Wednesday TUTTI-FRUTTI CREAM KISSES—A skilfully blended combination of Van. Flavored sugar cream, various fruits and such tasty fruits as figs, peaches, etc. 10c

Suggestion for Wednesday ASSORTED HARD CANDIES—You know the collection of milk finished with a variety of flavors, including Filling, Buttercream, Marmalade, Filling, Fruit, etc. 25c

Push Box, Cortlandt, 123th St. 224 St. and Brooklyn's Store open every evening until 11 o'clock. All our stores open Saturday evenings until 11 o'clock.

54 BARCLAY STREET CORNER WEST BROADWAY 20 CORTLANDT STREET CORNER CHURCH STREET PARK ROW AND NASSAU ST. At City Hall Park 400 BROOME STREET CORNER CENTRE STREET 22 EAST 22D STREET JUST WEST OF FORTH AVENUE

The specified weight includes the container in open cases.



## Look at the back of the package

You will find there the story of how all the coffee of the world for the private use of the great coffee merchants.

Have your grocer send you a package. This little history of Yuban,